

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**LINDA KATHLEEN BO SASSER**  
7678 Pineville Circle  
Castro Valley, CA 94552

Registered Nurse License No. 284616

Respondent

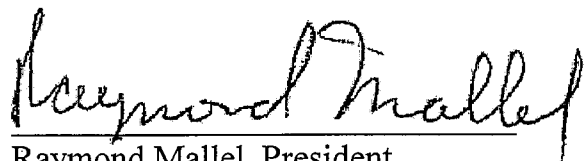
Case No. 2012-762

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **November 26, 2012.**

IT IS SO ORDERED **November 26, 2012.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 JUSTIN R. SURBER  
Deputy Attorney General  
4 State Bar No. 226937  
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*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2012-762

11 **LINDA KATHLEEN BO SASSER**  
12 **7678 Pineville Circle**  
**Castro Valley, CA 94552**  
13 **Registered Nurse License No. 284616**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

14 Respondent.

15  
16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
21 Registered Nursing. She brought this action solely in her official capacity and is represented in  
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Justin R. Surber,  
23 Deputy Attorney General.

24 2. Linda K. Sasser (Respondent) is represented in this proceeding by attorney Paul  
25 Chan, whose address is:

26  
27 Law Offices of Paul Chan  
400 Capitol Mall Ste 2545  
28 Sacramento, CA 95814

3. On or about August 31, 1977, the Board of Registered Nursing issued Registered Nurse License No. 284616 to Linda Kathleen Bo Sasser (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2012-762 and will expire on June 30, 2013, unless renewed.

## JURISDICTION

4. Accusation No. 2012-762 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 25, 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2012-762 is attached as Exhibit A and incorporated by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2012-762. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2012-762, agrees that cause exists for discipline and hereby surrenders her Registered Nurse License No. 284616 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Surrender of License and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 284616, issued to Respondent Linda Kathleen Bo Sasser, is surrendered and accepted by the Board of Registered Nursing.

1       1.    The surrender of Respondent's Registered Nurse License and the acceptance of the  
2   surrendered license by the Board shall constitute the imposition of discipline against Respondent.  
3   This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
4   license history with the Board of Registered Nursing.

5       2.    Respondent shall lose all rights and privileges as a Registered Nurse in California as  
6   of the effective date of the Board's Decision and Order.

7       3.    Respondent shall cause to be delivered to the Board her pocket license and, if one was  
8   issued, her wall certificate on or before the effective date of the Decision and Order.

9       4.    If Respondent ever files an application for licensure or a petition for reinstatement in  
10   the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
11   comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
12   effect at the time the petition is filed, and all of the charges and allegations contained in  
13   Accusation No. 2012-762 shall be deemed to be true, correct and admitted by Respondent when  
14   the Board determines whether to grant or deny the petition.

15       5.    If and when Respondent's license is reinstated, she shall pay to the Board costs  
16   associated with its investigation and enforcement pursuant to Business and Professions Code  
17   section 125.3 in the amount of \$2730.00. Respondent shall be permitted to pay these costs in a  
18   payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the  
19   Board from reducing the amount of cost recovery upon reinstatement of the license.

20       6.    If Respondent should ever apply or reapply for a new license or certification, or  
21   petition for reinstatement of a license, by any other health care licensing agency in the State of  
22   California, all of the charges and allegations contained in Accusation, No. 2012-762 shall be  
23   deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
24   Issues or any other proceeding seeking to deny or restrict licensure.

25       7.    Respondent shall not apply for licensure or petition for reinstatement for two (2)  
26   years from the effective date of the Board of Registered Nursing's Decision and Order.


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28   ///

1 ACCEPTANCE

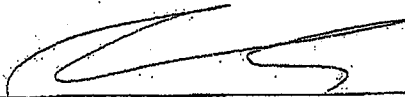
2 I have carefully read the above Stipulated Surrender of License and Order and have fully  
3 discussed it with my attorney, Paul Chan. I understand the stipulation and the effect it will have  
4 on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order  
5 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
6 Board of Registered Nursing.

7  
8 DATED:

Sept. 6, 2012   
LINDA KATHLEEN BO SASSER  
Respondent

9  
10 I have read and fully discussed with Respondent Linda Kathleen Bo Sasser the terms and  
11 conditions and other matters contained in this Stipulated Surrender of License and Order. I  
12 approve its form and content.

13 DATED:

9/7/12   
PAUL CHAN  
Attorney for Respondent

14  
15  
16 ENDORSEMENT

17 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
18 for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

19 Dated:

Respectfully submitted,

20 KAMALA D. HARRIS  
21 Attorney General of California  
22 FRANK H. PACOE  
23 Supervising Deputy Attorney General

24 JUSTIN R. SURBER  
25 Deputy Attorney General  
26 Attorneys for Complainant

27 SF2012204168  
28 Stipulation.rtf



**Exhibit A**

**Accusation No. 2012-762**



1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 JUSTIN R. SURBER  
Deputy Attorney General  
4 State Bar No. 226937  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 355-5437  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*  
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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2012-762**

11 **LINDA KATHLEEN BO SASSER**  
12 7678 Pineville Circle  
13 Castro Valley, CA 94552

**A C C U S A T I O N**

14 **Registered Nurse License No. 284616**

15 Respondent.  
16

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
21 of Consumer Affairs.

22 2. On or about August 31, 1977, the Board of Registered Nursing issued Registered  
23 Nurse License Number 284616 to Linda Kathleen Bo Sasser (Respondent). The Registered  
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and  
25 will expire on June 30, 2013, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board of Registered Nursing (Board),  
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code unless otherwise indicated.

2 STATUTORY PROVISIONS

3 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
4 that the Board may discipline any licensee, including a licensee holding a temporary or an  
5 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
6 Nursing Practice Act.

7 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
8 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
9 licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the  
10 Code, the Board may renew an expired license at any time within eight years after the expiration.

11 6. Section 2761 of the Code states:

12 "The board may take disciplinary action against a certified or licensed nurse or deny an  
13 application for a certificate or license for any of the following:

14 "(a) Unprofessional conduct. . ."

15 7. Section 2762 of the Code states:

16 "In addition to other acts constituting unprofessional conduct within the meaning of this  
17 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this  
18 chapter to do any of the following:

19 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed  
20 physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or  
21 administer to another, any controlled substance as defined in Division 10 (commencing with  
22 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as  
23 defined in Section 4022.

24 "(b) Use any controlled substance as defined in Division 10 (commencing with Section  
25 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in  
26 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to  
27 himself or herself, any other person, or the public or to the extent that such use impairs his or her  
28 ability to conduct with safety to the public the practice authorized by his or her license.

1 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
2 administrative law judge to direct a licensee found to have committed a violation or violations of  
3 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
4 enforcement of the case.

5 DRUGS INVOLVED

6 9. Norco, is the brand name of a compound of acetaminophen and Hydrocodone, a  
7 Schedule III controlled substance as designated by Health and Safety Code section 11056(e)(4)  
8 and dangerous drug as designated by Business and Professions Code section 4022. It is a narcotic  
9 drug.

10 FIRST CAUSE FOR DISCIPLINE

11 (Possession)

12 10. Respondent is subject to disciplinary action under section 2762(a) of the code in that  
13 Respondent diverted Norco from her employer from about November 2008 until April 2009.  
14 Respondent possessed and used the Norco without a prescription.

15 SECOND CAUSE FOR DISCIPLINE

16 (Dangerous Use)

17 11. Respondent is subject to disciplinary action under section 2762(b) in that Respondent  
18 used Norco without a prescription. Respondent diverted Norco from her employer from about  
19 November 2008 until April 2009. Respondent is an admitted drug addict. Respondent use of  
20 Norco was dangerous and/or injurious to herself and others.

21 THIRD CAUSE FOR DISCIPLINE

22 (Unprofessional Conduct)

23 12. Respondent is subject to disciplinary action under section 2761(a) of the code in that  
24 Respondent was involved in unprofessional conduct. The circumstances are described in  
25 paragraphs 10-11, above.

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28 ///

OTHER MATTERS

13. In or about April 2009, Respondent was fired for diverting Norco from her employer. Following her termination, Respondent entered the Board's Diversion Program. On or about February 17, 2012, Respondent was terminated from the Diversion Program as a public risk.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 284616, issued to Linda Kathleen Bo Sasser.

2. Ordering Linda Kathleen Bo Sasser to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: June 25, 2012

Louise R. Bailey  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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